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**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:09-cv-00663-WMS**

Patients for Medical Justice, Ltd. v. United States Food and Drug Administration (FDA) et al	Date Filed: 07/22/2009
Assigned to: Hon. William M. Skretny	Date Terminated: 03/09/2010
Cause: 05:552 Freedom of Information Act	Jury Demand: None
	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Patients for Medical Justice, Ltd.**

represented by **Patients for Medical Justice, Ltd.**  
James F. Allen  
Director  
Patients for Medical Justice, Ltd.  
488 Central Avenue  
Suite A  
Lancaster, NY 14086  
716-685-2918  
PRO SE

V.

**Defendant**

**United States Food and Drug Administration (FDA)**

**Defendant**

**Ms. Julie Zawisza**  
*Assistant Commission*

**Defendant**

**Dr. Margaret Hamburg**  
*U.S. FDA commissioner*

**Defendant**

**Dr. Joshua M. Sharfstein**  
*Deputy Commissioner Transparency Task  
Force*

Date Filed	#	Docket Text
07/22/2009	<a href="#"><u>1</u></a>	COMPLAINT against United States Food and Drug Administration (FDA), Julie Zawisza, Margaret Hamburg, Joshua M. Sharfstein ( Filing fee \$ 350 receipt number 13712.), filed by Patients for Medical Justice, Ltd.. (Attachments: # <a href="#"><u>1</u></a> Exhibits)(DR) (Entered: 07/24/2009)
07/22/2009	<a href="#"><u>2</u></a>	MOTION to Compel Defendants Preparation of a Vaughn Index by Patients for Medical Justice, Ltd..(DR) (Entered: 07/24/2009)
07/23/2009		Copies of documents served received from plaintiff. (DR) (Entered: 07/29/2009)
08/07/2009		Summons Issued as to United States Food and Drug Administration (FDA). (DZ) (Entered: 08/07/2009)
08/31/2009	<a href="#"><u>3</u></a>	SUMMONS Returned Executed by Patients for Medical Justice, Ltd.. United States Food and Drug Administration (FDA) served on 7/27/2009, answer due 9/25/2009; Julie Zawisza served on 7/29/2009, answer due 9/28/2009; Margaret Hamburg served on 7/27/2009, answer due 9/25/2009; Joshua M. Sharfstein served on 7/27/2009, answer due 9/25/2009. (SG) (Entered: 09/03/2009)

02/05/2010	4	<p align="center"><b>TEXT ORDER</b></p> <p>No action has been taken by the plaintiff in the past six months. Accordingly, pursuant to Rule 41.2 of the Rules of the United States District Court for the Western District of New York,</p> <p>IT HEREBY IS ORDERED that on or before March 5, 2010, Plaintiff shall file with the Clerk of the Court an affidavit explaining in detail why this case should not be dismissed for failure to prosecute.</p> <p>SO ORDERED.</p> <p>Issued by William M. Skretny, Chief Judge U.S.D.C. on 2/4/2010. (MEAL) (Entered: 02/05/2010)</p>
03/09/2010	5	<p align="center"><b>TEXT DSMISSAL ORDER</b></p> <p>This Court having issued a 4 Notice Before Dismissal for Failure to Prosecute in the above captioned case on 2/5/2009, and no response having been filed by Plaintiff,</p> <p>IT HEREBY IS ORDERED, that the above-referenced action is hereby DISMISSED for failure to prosecute.</p> <p>SO ORDERED:</p> <p>Issued by William M. Skretny, Chief Judge U.S.D.C. on 3/6/2010. (MEAL) (Entered: 03/09/2010)</p>

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